

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

4:20-CR-3009

vs.

ORDER

MIGUEL SERRATO,

Defendant.

The defendant has filed a motion ([filing 55](#)) to appoint counsel and a motion ([filing 53](#)) seeking relief under [U.S.S.G. Amend. 821](#), made retroactive by [U.S.S.G. Amend. 825](#) with an effective date of February 1, 2024. Pursuant to [Gen. Order 2023-09](#), the Office of the Federal Public Defender for the District of Nebraska is being appointed to determine who is entitled to relief under those provisions, and to file any appropriate motion for relief. Accordingly,

IT IS ORDERED:

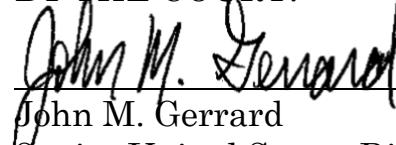
1. The defendant's motion to appoint counsel ([filing 55](#)) is granted.
2. The defendant's *pro se* motion for relief ([filing 53](#)) will be held in abeyance pending action by the Federal Public Defender.
3. The Clerk of the Court shall provide the defendant with a copy of this order and [Gen. Order 2023-09](#).
4. The Clerk of the Court shall also give notice of this order to the United States Attorney, the Federal Public Defender,

and to the Supervisory United States Probation Officer who handles presentence reports.

5. If upon his review the Federal Public Defender should conclude that the defendant's motion is frivolous or should not move forward, the Federal Public Defender shall move to withdraw as counsel.

Dated this 30th day of November, 2023.

BY THE COURT:



John M. Gerrard
Senior United States District Judge